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AND RELATED MATTERS

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(1938-1999)

June 4, 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/805,175 filed 03/19/04  
Applicant: Beesley, Brian  
Title: **OFF AXIS GOBLET FOR FOOD MIXER**  
Group Art Unit:  
Attorney Docket No. 23222

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of 51 references submitted for consideration.
- ☐ Legible copies of the listed references or their relevant portions.
- ☐ Legible copies of the listed non-patent documents and foreign documents or their relevant portions are included.
- ☒ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

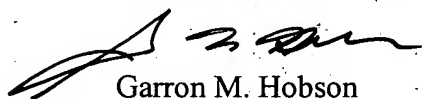
- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. \_\_\_\_\_, filed on \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. \_\_\_\_\_, which includes the amount of \$0.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



Garron M. Hobson  
Attorney for Applicant  
Registration No. 41,073

THORPE NORTH & WESTERN, LLP  
Customer No. 20,551  
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GMH/skp



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

ART UNIT:

EXAMINER:

APPLICANT: Beesley, Brian

SERIAL NO.: 10/805,175

FILED: 3/19/2004

CONFRM. NO.:

FOR: OFF AXIS GOBLET FOR FOOD MIXER

**CERTIFICATE OF MAILING**  
**UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: June 4, 2004

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
**Garron M. Hobson**

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or

listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☐ In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

☒ Legible copies of the listed non-patent literature and foreign documents or their relevant portions. Copies of U.S. patents and/or publications are NOT included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).

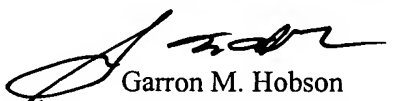
☐ The references listed in the accompanying Form PTO-1449 are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

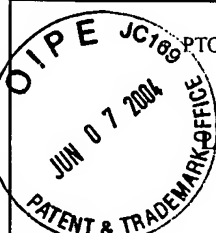
Dated this 4 day of June 2004

Respectfully submitted,

  
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GMH/skp  
Enclosure

|  |                               |                          |
|--|-------------------------------|--------------------------|
|  PTO-1449<br>U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE<br>LIST OF PRIOR ART CITED BY APPLICANT | ATTY. DOCKET NO.<br>23222     | SERIAL NO.<br>10,805,175 |
|  | APPLICANT      Beesley, Brian |                          |
|  | FILING DATE<br>03/19/04       | GROUP<br>_____           |

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIALS |     | DOCUMENT<br>NUMBER | DATE          | NAME             | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|-----|--------------------|---------------|------------------|-------|----------|-------------------------------|
|                      | A1  | 373,113            | Nov 15, 1887  | Wagner           |       |          |                               |
|                      | A2  | 374,706            | Dec 13, 1887  | Rosenkranz       |       |          |                               |
|                      | A3  | 1,412,536          | Apr 11, 1922  | Mayer            |       |          |                               |
|                      | A4  | 1,874,079          | Aug. 1932     | Black            |       |          |                               |
|                      | A5  | 2,066,997          | Jan. 5, 1937  | Mueller          |       |          |                               |
|                      | A6  | 2,070,545          | Feb. 1937     | Gilbert          |       |          |                               |
|                      | A7  | 2,315,018          | Mar. 1943     | Lawrence         |       |          |                               |
|                      | A8  | 2,311,379          | May 6, 1940   | M. D. Gillanders |       |          |                               |
|                      | A9  | 2,559,196          | Jul. 3, 1951  | Medved           |       |          |                               |
|                      | A10 | 2,785,547          | Mar 19, 1957  | Barros           |       |          |                               |
|                      | A11 | 2,851,258          | Sept 9, 1958  | Siehers          |       |          |                               |
|                      | A12 | 2,945,634          | Jul. 1960     | Beck et al.      |       |          |                               |
|                      | A13 | 3,088,345          | May 7, 1963   | Campbell         |       |          |                               |
|                      | A14 | 3,107,711          | Oct. 22, 1963 | Azmus            |       |          |                               |
|                      | A15 | 3,315,947          | Apr 25, 1967  | Nauta            |       |          |                               |
|                      | A16 | 3,346,029          | Oct. 10, 1967 | Harris           |       |          |                               |
|                      | A17 | 3,417,972          | Dec 24, 1968  | Vincent          |       |          |                               |
|                      | A18 | 3,427,636          | Feb 11, 1969  | Seifert          |       |          |                               |
|                      | A19 | 3,765,275          | Oct. 16, 1973 | Johnson          |       |          |                               |
|                      | A20 | 3,780,393          | Dec 25, 1973  | Gaetke           |       |          |                               |
|                      | A21 | 3,895,548          | Jul 22, 1975  | Sauve            |       |          |                               |
|                      | A22 | 3,920,224          | Nov. 1975     | Fassauer         |       |          |                               |
|                      | A23 | 4,030,707          | Jun 1977      | Moreton          |       |          |                               |
|                      | A24 | 4,137,578          | Feb 6, 1979   | Felici           |       |          |                               |
|                      | A25 | 4,201,487          | May 1980      | Backhaus         |       |          |                               |
|                      | A26 | 4,250,771          | Feb 17, 1981  | Berler           |       |          |                               |
|                      | A27 | 4,268,080          | May 19, 1981  | Lindley          |       |          |                               |
|                      | A28 | 4,337,000          | Jun 29, 1982  | Lehmann          |       |          |                               |
|                      | A29 | D269,471           | Jun 21, 1983  | Auerbach         |       |          |                               |
|                      | A30 | 4,395,792          | Aug 2, 1983   | Cosner           |       |          |                               |

|          |  |                             |                          |
|----------|--|-----------------------------|--------------------------|
| PTO-1449 | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY. DOCKET NO.<br>23222   | SERIAL NO.<br>10/805,175 |
|          |  | APPLICANT<br>Beesley, Brian |                          |
|          |  | FILING DATE<br>03/19/04     | GROUP                    |

## LIST OF PRIOR ART CITED BY APPLICANT

| EXAMINER<br>INITIALS |     | DOCUMENT<br>NUMBER | DATE         | NAME             | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|-----|--------------------|--------------|------------------|-------|----------|-------------------------------|
|                      | A31 | 4,397,427          | Aug 9, 1983  | Howard           |       |          |                               |
| .                    | A32 | 4,488,664          | Dec 18, 1984 | Cleland          |       |          |                               |
| .                    | A33 | 4,513,688          | Apr 1985     | Fassauer         |       |          |                               |
| .                    | A34 | 4,537,332          | Aug 27, 1985 | Brown et al.     |       |          |                               |
|                      | A35 | 4,561,782          | Dec 31, 1985 | Jacobsen et al.  |       |          |                               |
|                      | A36 | 5,302,021          | Apr 12, 1994 | Jennett et al.   |       |          |                               |
| .                    | A37 | 5,323,691          | Jun 28, 1994 | Reese et al.     |       |          |                               |
| .                    | A38 | 5,356,215          | Oct 18, 1994 | Inoue et al.     |       |          |                               |
| .                    | A39 | D363,634           | Oct 31, 1995 | Cohn             |       |          |                               |
|                      | A40 | 5,479,851          | Jan 2, 1996  | McClean et al.   |       |          |                               |
|                      | A41 | 5,518,312          | May 21, 1996 | Inoue et al.     |       |          |                               |
|                      | A42 | 5,636,923          | Jun 10, 1997 | Nejat-Bina       |       |          |                               |
|                      | A43 | 5,662,032          | Sept. 1997   | Barretta         |       |          |                               |
|                      | A44 | 5,758,963          | Jun 2, 1998  | Xie et al.       |       |          |                               |
|                      | A45 | 5,823,667          | Oct 20, 1998 | Fukushima et al. |       |          |                               |
|                      | A46 | 2001/0006486       | Jul 2001     | Ofverberg        |       |          |                               |
|                      | A47 | 2002/0027175       | Mar 7, 2002  | Capp             |       |          |                               |
|                      | A48 | 6,523,994          | Feb 25, 2003 | Lawson           |       |          |                               |
|                      | A49 | 6,527,433          | Mar 4, 2003  | Daniels          |       |          |                               |
|                      | A50 | 2003/0099154       | May 2003     | Daniels          |       |          |                               |
|                      | A51 | 6,652,137          | Nov 25, 2003 | Bosch et al.     |       |          |                               |

## FOREIGN PATENT DOCUMENTS

| EXAMINER<br>INITIALS |     | DOCUMENT<br>NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION<br>YES NO |
|----------------------|-----|--------------------|------|---------|-------|----------|-----------------------|
|                      | A52 |                    |      |         |       |          |                       |

## OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

|   |     |                 |  |
|---|-----|-----------------|--|
|   | A53 |                 |  |
| EXAMINER  |     | DATE CONSIDERED |  |
| <p><b>*EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.</p> |     |                 |  |